

ORDINANCE NO. 3 - 2003

ORDINANCE AMENDING ORDINANCE 4-2000 AND REVISING MADISON COUNTY SUBDIVISION REGULATIONS DATED NOVEMBER 2000

WHEREAS, 76-3-501(1), MCA requires every county, city, and town to adopt and provide for the enforcement and administration of subdivision regulations reasonably providing for the orderly development of their jurisdictional areas; and

WHEREAS, in accordance with state law, Madison County first adopted subdivision regulations prior to July 1, 1974; and

WHEREAS, the Madison County Subdivision Regulations require periodic updating to reflect changes in state law and to address changing local conditions and planning and development issues; and

WHEREAS, pursuant to 76-3-201 and 76-3-207, MCA, the 2003 Montana Legislature authorized local governments to levy reasonable subdivision exemption review fees, not to exceed \$200 per request; and

WHEREAS, the Madison County Evasion Review Board has proposed the institution of a \$75 fee for the review of each subdivision exemption request (family conveyance, boundary adjustment, agricultural exemption, mortgage exemption); and

WHEREAS, the Madison County Planning Board held an August 25, 2003 public hearing and subsequently recommended that the attached fee proposal dated 8/03 be adopted; and

WHEREAS, the Board of Madison County Commissioners has reviewed the Evasion Review Board's 8/03 proposal.

NOW, THEREFORE BE IT ORDAINED as follows:

The subdivision regulation revision attached to this document is a part of this Ordinance and is hereby incorporated into the Madison County Subdivision Regulations dated November 2000. All other portions of the Madison County Subdivision Regulations dated November 2000, plus the amendments contained in Ordinance 2-2003, remain unchanged.

PASSED AT FIRST READING by the Board of Madison County Commissioners this 2nd day of September, 2003.

ATTEST:

Peggy Kaatz-Stemler
Clerk and Recorder
Madison County

APPROVED:

David Schulz, Chairman

C. Ted Coffman

Frank G. Nelson
Board of Commissioners, Madison County

PASSED AT SECOND READING by the Board of Madison County
Commissioners this 29th day of September, 2003.

ATTEST:

_____
Peggy Kaatz-Stemler
Clerk and Recorder
Madison County

APPROVED:

David Schulz, Chairman

C. Ted Coffman

Frank G. Nelson
Board of Commissioners, Madison County

This Ordinance shall take effect as of October 29, 2003.

APPENDIX I. FEE SCHEDULE -- REVISION, 8/03

Pursuant to 76-3-602, MCA, the subdivider shall pay the following non-refundable fees:

1. **Subdivision Application Review** (Fee goes to the Madison County Planning Department)

Number of Lots in Proposed Subdivision [Note: One RV space or one condominium unit equates to one lot.]	Preliminary Plat or Plan [Note: Fee applies also to Summary Plats or Plans, and to Amended Plats where substantial changes are proposed.]	Final Plat or Plan [Note: Fee does not apply to Summary Plats or Plans.1	Total Subdivision Application Review Fee
1-2	\$ 750	\$ 100	\$ 850
3 or more	\$ 1200 + \$50 for each lot over 3	\$ 200 + \$50 for each lot over 3, up to 50 lots; + \$20 for each lot beyond 50 lots.	Examples: \$ 1400 for 3 lots \$ 1700 for 6 lots \$ 6100 for 50 lots \$ 9600 for 100 lots

2. **Fire Review Fee** (Fee goes to the reviewing agency or the County): \$50 for the first lot, \$10 for each additional lot, plus mileage (at State rate per mile).

3. **Variance Application** (Fee goes to the Madison County Planning Department, and each requested variance requires a separate fee):

\$ 100 if variance application is submitted with subdivision application.

\$ 200 if variance application is submitted after preliminary plat approval has been granted.

4. **Noxious Weed Management Plan** (Fee goes to the Madison County Weed Department):

\$50 plus mileage (at State rate per mile) for proposed subdivisions of five or fewer lots.

\$50 plus mileage (at State rate per mile) plus \$5.00 per lot for proposed subdivisions of six or more lots.

5. **Sanitation Review Fee where proposed lots are 20 or more acres** (Fee goes to the Madison County Sanitarian's Department) -- \$50 per lot plus mileage (at State rate per mile).


Pursuant to 76-3-201 and 76-3-207, MCA, a landowner submitting a subdivision exemption request shall pay a review fee of \$75 (Fees are equally split among the Madison County Clerk & Recorder's Office, Sanitarian's Office, and Planning Office).

STATE OF MONTANA MADISON COUNTY

DOC #:

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RECORDED: 09/29/2003 1:30 MA-FILED

Peggy Kaatz CLERK AND RECORDER BY: 

FEE: \$0.00

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MADISON COUNTY COMMISSIONERS
TO

AMENDING ORDINANCE

4-2000 &

REVISING SUBDIVISION REGULATIONS

DATED NOVEMBER 2000